

cl bending moment applied to the first tube, the bending moment applied to the first tube ranging between about 6 in-lbs to 27 in-lbs.

8. (Once Amended) The shaft member of claim 1, wherein the proximal end of the first tube is adapted to be removably coupled to the handle assembly.

9. (Once Amended) The shaft member of claim 1, wherein the distal end of the first tube is adapted to be removably coupled to the tissue engaging means.

13. (Once Amended) A surgical device comprising:
a tissue engaging means including first and second opposed jaws for grasping, securing, and occluding body tissue and conduits;
a handle assembly;
an actuating means connecting the handle assembly and the tissue engaging means for actuating the tissue engaging means; and
a shaft member made of a malleable material and having a proximal end, a distal end and a longitudinal axis, the proximal end of the shaft member coupled to the handle assembly, the distal end of the shaft member coupled to the tissue engaging means, the actuating means extending axially through the shaft member, the shaft member configured to be kink resistant, fatigue resistant, and to bend about some bending radius in response to a bending moment applied to the shaft member, the bending moment applied to the shaft member ranging between 6 in-lbs to 27 in-lbs.

REMARKS

This Amendment is in response to the Office Action mailed on 2 July 2002, in which claims 1 and 3 - 12 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 5,916,193 to *Stevens et al.* Claims 13 and 15 - 21 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 5,643,303 to *Donahue*. In addition, claims 1, 3 - 12, 13, and 15 - 21 were objected to under 35 U.S.C. § 112, second paragraph, as being indefinite.

With this reply, claims 1, 3 - 12, 13, and 15 - 21 are amended to address the indefinite objections. In addition, claims 13 and 15 - 21 have been amended to specify that the tissue